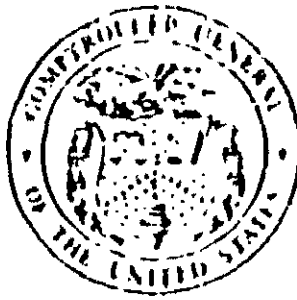


7181  
DECISION



M. G. 100  
THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D.C. 20548

FILE: B-192398

DATE: July 31, 1978

MATTER OF: Municipal & Industrial Pipe Services, Ltd.

DIGEST:

Protest concerning SBA size status of low and second low bidder is not for consideration by GAO since by law it is matter for decision by SBA.

Municipal & Industrial Pipe Services, Ltd. (Municipal), protests award of the Little Rock Air Force Base, Arkansas, project 7, RK 118-6 II to Penetration Systems, the low bidder. Municipal contends that the low and second low bidders do not qualify as small business concerns since their sales are in excess of \$10 million annually.

Under 15 U.S.C. § 637(b) (1976), the Small Business Administration is empowered to conclusively determine matters of small business size for Federal procurement and sales purposes. See Main's Construction Co., B-191462(2), March 29, 1975, 78-1 CPD 245.

Accordingly, the protest is dismissed.

*Paul G. Dembling*  
Paul G. Dembling  
General Counsel